

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT CINCINNATI

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2013 AUG 22 PM 4:28

U.S. DISTRICT COURT
SOUTHERN DIST OHIO
WEST DIV CINCINNATI

UNITED STATES OF AMERICA,

Plaintiff, : Case No. 1:08-cr-5

- vs -

: Chief Judge Susan J. Dlott
Magistrate Judge Michael R. Merz

BRIAN LEWIS,

:

Defendant. :

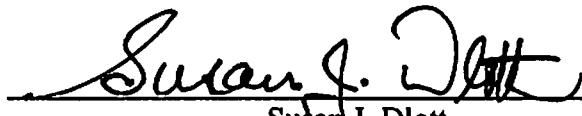
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ORDER ADOPTING SUPPLEMENTAL REPORT AND RECOMMENDATION

The Court has reviewed the Supplemental Report and Recommendation of United States Magistrate Judge Michael R. Merz (Doc. #41), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Supplemental Report and Recommendation.

Accordingly, it is hereby ORDERED that Defendant's Motion to Vacate pursuant to 28 U.S.C. § 2255 (Doc. No. 37) is found to be a second or successive Motion to Vacate pursuant to 28 U.S.C. § 2255 and is hereby TRANSFERRED to the Sixth Circuit for further consideration of whether Defendant will be permitted to proceed.

August 21, 2013.


Susan J. Dlott
Chief United States District Judge